



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

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**BALLOT ACCESS INFORMATION FOR PRESIDENTIAL CANDIDATES
SEEKING OFFICE IN 2016**

The following summarizes the provisions of Michigan election law which govern the ballot access procedures established in Michigan for candidates who seek the office of U.S. President. As the ballot access procedures are subject to change by the Michigan State Legislature, presidential candidates interested in participating in Michigan's March 8, 2016 primary election or November 8, 2016 general election are encouraged to consult our website, www.Michigan.gov/elections, for updates.

MARCH 8, 2016 PRESIDENTIAL PRIMARY

Michigan's March 8, 2016 presidential primary is limited to qualifying candidates of the Republican and Democratic Parties. MCL 168.613a(2). Michigan law requires the Secretary of State to issue a "list of the individuals generally advocated by the national news media to be potential candidates" for each major political party's nomination by 4:00 p.m. on November 13, 2015. MCL 168.614a(1). Thereafter, the state chairperson of each major political party must file a "list of individuals whom they consider to be potential presidential candidates for that political party" with the Secretary of State no later than 4:00 p.m. on November 17, 2015. MCL 168.614a(2).

The Secretary of State shall make both lists available to the public and shall notify the candidates identified on each list of the provisions of the Michigan Election Law that govern the Presidential Primary. MCL 168.614a(3). Candidates identified on either list who wish to participate in Michigan's Presidential Primary are not required to do anything further in order to secure a place on the ballot. MCL 168.615a(1). The ballot will include each major party's candidates appearing on either list and an option for voters to select "uncommitted." MCL 168.615a(3).

A person identified on either the Secretary of State's or party chairperson's candidate listing may designate a different political party or withdraw from Michigan's presidential primary by filing an affidavit with the Secretary of State no later than 4:00 p.m. on December 11, 2015 stating that:

- The candidate's party preference is different than the party listed in the Secretary of State's notice to the candidate. In these circumstances, the Secretary of State will: (1) cause the candidate's name to be printed on the appropriate primary ballot, if the preferred party is a major political party, or (2) not permit the candidate's name to be

printed on the presidential primary ballot if the candidate's preferred party is not a major political party.

- “(Candidate’s name) is not a presidential candidate.” In these circumstances, the Secretary of State will not allow the candidate’s name to be printed on the March 8, 2016 Primary Ballot.

MCL 168.615a(1).

An individual who is **not** listed as a potential presidential candidate by the Secretary of State or a state party chairperson who wishes to appear on Michigan’s presidential primary ballot must file a nominating petition with the Secretary of State no later than 4:00 p.m. on December 11, 2015. MCL 168.615a(2). Petitions cannot be circulated prior to October 1, 2015. Id. The number of valid signatures required on a nominating petition for a candidate is “not less than ½ of 1% of the total votes cast in the state at the previous presidential election for the presidential candidate of the political party for which the individual is seeking nomination.” Id. For Republican Party candidates, the minimum number of valid signatures is 10,577. The minimum number of valid signatures required on a nominating petition for a Democratic Party candidate is 12,823.

NOVEMBER 8, 2016 GENERAL ELECTION

The November general election ballot will combine the major party presidential nominees, presidential nominees named by the minor parties qualified to appear on Michigan’s general election ballot, and presidential candidates who choose to run without political party affiliation. Write-in candidates who seek the office of U.S. President are also eligible to participate in the general election.

PRESIDENTIAL CANDIDATES AFFILIATED WITH A MAJOR PARTY: The names and addresses of the Republican and Democratic Parties’ nominees for offices of president and vice-president must be certified by the chairperson and the secretary of the party’s state central committee to the Secretary of State within one business day after the conclusion of the party’s state convention or national convention (whichever is later). In addition, the chairperson and secretary of the party’s state central committee must forward to the Secretary of State a certificate which bears the names and addresses of the party’s presidential electors. (The qualifications that candidates for presidential elector must satisfy are described below.) The certificate must be hand-delivered or sent to the Secretary of State by certified or registered mail within one business day after the conclusion of the party’s state convention. (MCL 168.42, 591, and 686).

PRESIDENTIAL CANDIDATES AFFILIATED WITH A MINOR PARTY: For minor parties who are qualified to appear on the general election ballot in Michigan, the names and addresses of the party’s nominees for the offices of president and vice-president must be certified by the chairperson and secretary of the party’s state central committee to the Secretary of State within one business day after the conclusion of the party’s state convention or national convention (whichever is later). In addition, the chairperson and secretary of the party’s state central committee must forward to the Secretary of State a certificate which bears the names and addresses of the party’s presidential electors. (The qualifications that candidates for presidential elector must satisfy are described below.) The certificate must be hand-delivered or sent to the Secretary of State by certified or registered mail within one business day after the conclusion of the party’s state convention. (MCL 168.42 and 686).

A political party may appear on the general election ballot in Michigan by virtue of the voter support accorded the party at the last general election or by filing a “new political party” petition. For further information on the procedures which govern political party ballot access, contact the Department of State’s Bureau of Elections.

PRESIDENTIAL CANDIDATES WITHOUT POLITICAL PARTY AFFILIATION:

A presidential candidate without political party affiliation must submit a qualifying petition bearing a sufficient number of valid signatures, the name and address of his or her running mate, and the names and addresses of his or her presidential electors. The qualifying petition must be filed no later than 4:00 p.m. on July 21, 2016. MCL 168.590c. The name and address of the candidate’s running mate and the names and addresses of his or her presidential electors must be filed no later than September 6, 2016. MCL 168.590d. All documents must be filed with the Department of State’s Bureau of Elections.

- The number of valid signatures required on the qualifying petition is 30,000; up to 60,000 signatures can be submitted to cover the minimum number of valid signatures required. MCL 168.544f. Of the signatures submitted on the petition, there must be at least 100 signatures from each of at least ½ of the congressional districts in the state. MCL 168.590b.
- Any signatures appearing on the qualifying petition which are dated more than 180 days prior to the date the petition is filed are invalid. MCL 168.590b.
- A candidate who wishes to withdraw his or her petition must submit a written notice of withdrawal to the Department of State’s Bureau of Elections no later than 4:00 p.m. on July 25, 2016. MCL 168.590c.
- The law specifies that a person who files a qualifying petition cannot appear on the ballot as a partisan candidate for any office for the remainder of the calendar year. MCL 168.590g. The law further specifies that a person who files a partisan nominating petition or filing fee as a candidate of a political party or who is nominated by a political party convention, committee or caucus and accepts the nomination cannot file a qualifying petition for the remainder of the calendar year. MCL 168.692a.

WRITE-IN CANDIDATES FOR PRESIDENT: Write-in votes cast for a political party’s candidates for president and vice-president are tallied and certified as votes for the party’s presidential electors if the party forwards the names of the candidates, a list of the party’s presidential electors and “Declaration of Intent” forms executed by the candidates to the Secretary of State by September 9, 2016. Write-in votes cast for an individual seeking the office of U.S. President who fails to file the required documents are not counted.

Write-in votes cast for a candidate for president who does *not* have a political party affiliation are tallied and certified as votes for the candidate’s presidential electors if the candidate forwards the name of his or her running mate, a list of presidential electors and a “Declaration of Intent” form to the Secretary of State by September 9, 2016. Write-in votes cast for an individual seeking the office of U.S. President who fails to file the required documents are not counted.

PRESIDENTIAL ELECTORS: QUALIFICATIONS AND ELIGIBILITY

- A presidential candidate's slate of electors must equal the number of U.S. House members and U.S. Senators elected in Michigan.
- Michigan election law, MCL 168.41, provides the following:

No person shall be eligible to be an elector of president and vice-president who shall not have been a citizen of the United States for at least 10 years and a resident and registered elector of the congressional district for an elector representing a congressional district, or of the state, for an elector representing the state at large for at least 1 year prior to the election. No senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector, as provided in section 1 of article 2 of the United States constitution.

ADDITIONAL INFORMATION

If you have questions regarding any of the information presented here, please feel free to contact this office. Answers to your questions will also be found in the Michigan election law. To order a copy, remit \$7.50 to this office. Please make your check or money order payable to the "State of Michigan." The Michigan election law can also be accessed through the website maintained by the Michigan State Legislature at www.legislature.mi.gov.

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